

*KIRTON LAW FIRM*

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Marlon G. Kirton, Esq.

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January 17, 2023

VIA ELECTRONIC FILING

Honorable Alvin K. Hellerstein  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

*The sentencing is adjourned  
until February 13, 2023 at  
11:00 am.*  
*X [Signature] 1/23/2023*

Re: *United States v. Harvey Foster, 20 cr. 631 (AKH)*

Dear Judge Hellerstein:

I represent Harvey Foster. Mr. Foster pleaded guilty, and his sentence is scheduled for January 26, 2023. I request a two-week adjournment of the sentencing.<sup>1</sup>

The Defense is nearly completed its review of the case. The Defense is still gathering documents in support of reasonable non-guidelines sentence. We need additional time to gather the documents. The Government does not object to a 2-3 week adjournment of the sentencing hearing. I request any date between February 8<sup>th</sup> and February 20<sup>th</sup>. This is our second request for an adjournment.

Please contact me if you have any questions or concerns.

Sincerely,

s/Marlon G. Kirton  
Marlon G. Kirton, Esq.

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<sup>1</sup> Any date between February 8<sup>th</sup> and February 20<sup>th</sup> is preferable, as I will be unavailable from February 21-March 1.